

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

LISA MARIE MONTGOMERY,)

)

Petitioner,)

)

v.)

Case No. 2:21-cv-00020-JPH-DLP

)

WARDEN OF USP TERRE HAUTE, IN.,)

et al.,)

)

Respondents.)

EXHIBIT C
CHRISTINA A. PIETZ, PH.D., ABPP
DECLARATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

LISA MARIE MONTGOMERY,)	
)	
Petitioner,)	
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v.)	Case No. 2:21-cv-00020-JPH-DLP
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WARDEN OF USP TERRE HAUTE, IN.,)	
<i>et al.</i> ,)	
)	
Respondents.)	

DECLARATION OF CHRISTINA A. PIETZ, Ph.D., A.B.P.P.

1. The statements I make hereinafter are made based only on my review of court filings, the files and records of the BOP, and/or my own personal knowledge. A listing of the files and records I have reviewed is attached hereto.
2. A copy of my CV is attached hereto.
3. I worked as a forensic psychologist for the Federal Bureau of Prisons United States Medical Center for almost twenty-five years. In that capacity, I conducted over 1,000 court-ordered evaluations and testified as an expert witness in federal, state, and military court. These evaluations addressed competency related issues, criminal responsibility, risk assessment, and civil commitment. My job duties also included providing the main source of mental health services to those patients assigned to me including inmate screening, housing status, and classification.
4. Following my retirement from the United States Medical Center, I began working on a contract basis for Burrell Behavioral Health Care. In this capacity, I continue to conduct evaluations addressing competency related issues, criminal responsibility and risk assessment. I have evaluated several individuals alleging to suffer from posttraumatic stress disorder (PTSD). I have also conducted workshops discussing assessment of PTSD in the forensic context, "Assessing Allegations of Trauma in a Forensic Context." I provide mental health treatment to individuals suffering from PTSD.

5. Throughout my career, I have conducted several workshops on testifying in court, the assessment of PTSD using the criteria set out in the Diagnostic and Statistical Manual of Mental Disorders (“DSM-5”), and other forensic topics.
6. I have authored several papers and published a book entitled Violent Offenders: Understanding and Assessment. As an ad hoc reviewer for the Criminal Justice and Behavior Journal, I reviewed several articles. I have also reviewed book proposals for the Oxford Press.
7. I am familiar with professional standards and practices generally accepted in forensic psychology for evaluating criminal responsibility and competency-related issues, including competency to be executed.
8. On November 30, 2020, I was contacted by the United States Attorney’s Office for the Western District of Missouri requesting that I review records concerning Lisa Montgomery. I accepted the engagement and reviewed numerous records concerning the case, including legal filings, prior forensic evaluations of Mrs. Montgomery, medical and psychology records (dated January 2007 through January 2021) of Mrs. Montgomery from the Bureau of Prisons, Federal Medical Center Carswell, recent Suicide Watch Log Books, and Visitor Logs, and recordings of seven phone calls Mrs. Montgomery had with family members in August through November, 2020, and recordings of five recent phone calls Mrs. Montgomery had with family members in December 2020 or January 2021.
9. Given the COVID-19 pandemic, numerous forensic psychologists who opine on mental competency are choosing, and in some instances required by facilities, to conduct competency evaluations remotely through interactive videoconferencing. During the COVID-19 pandemic, I have conducted several mental competency evaluations remotely that I believe comport with professional standards, and my opinions have been accepted by attorneys and courts.
10. During the COVID-19 pandemic, I have also conducted several mental competency evaluations on site in state and federal prisons. I am familiar with numerous other forensic psychologists who opine on mental competency who also have conducted competency evaluations on site in state or federal prisons, donning appropriate personal protective equipment.
11. In the majority of my evaluations addressing competency related issues, I have not previously observed or interacted with the evaluated person prior to conducting the evaluation. In the competency to be executed evaluations I have conducted, I

was an independent evaluator that had no previous clinical relationship with the evaluated person and had not previously evaluated the evaluated person. These evaluations have been accepted by courts.


12. Although I have not conducted a clinical evaluation of Mrs. Montgomery's mental state and/or assessed her understanding of her current legal situations, from my review of records I do not see any evidence that Mrs. Montgomery is presently suffering from a major mental illness that would impair her ability to comprehend her legal situation or interact with her attorneys. Moreover, my assessment of Mrs. Montgomery's conversation with her family members suggests that Mrs. Montgomery understands her current legal situation, legal options, that she is going to be executed, and that execution means death.
13. Based on the January 2, 2021, phone call I reviewed, Mrs. Montgomery was able to provide a rational, accurate description of the status of her postconviction legal proceedings as of January 2, 2021.
14. Based on records from providers at FMC Carswell familiar with Mrs. Montgomery's clinical presentation, they have consistently documented that she presents no evidence of symptoms of psychosis, *i.e.*, delusions and/or hallucinations. One of these same clinicians, as of January 7, 2021, described her current thought processes as logical and organized.
15. Based on records from providers at FMC Carswell familiar with Mrs. Montgomery's clinical presentation, Mrs. Montgomery appropriately applies legal concepts to her current situation, including clemency, appeals, and remaining legal claims, in detail. Mrs. Montgomery's records reflect an ability to cite and appropriately apply legal concepts to her specific situation which displays a level of comprehension inconsistent with merely reciting legal concepts told to her by other persons, including her attorneys. For example, in a Clinical Intervention – Individual Therapy note dated January 7, 2021, a clinician noted Mrs. Montgomery “indicated she maintains hope her clemency petition or remaining legal arguments will allow her to avoid being executed.”
16. Although it is appropriate and consistent with the specialty guidelines for forensic psychology for an evaluator to discuss with attorneys their concerns regarding their client's competency, no professional evaluating competency should rely solely on that information and historical clinical evaluations in making a determination as to current competency. Likewise, although historical information is important, competency (or incompetency) is a present-tense issue.

Consequently, when assessing a person's competency, it is imperative that the clinician obtain sufficient facts or data related to the person's current functioning and current competency-related issues. Based on what has been provided in the Petition for Writ of Habeas Corpus filed January 8, 2021 and Amended Petition for Writ of Habeas Corpus filed January 9, 2021 (collectively, the "Petition"), and attached declarations from Dr. Porterfield and Dr. Woods, any opinions as to current competency do not appear to have been based on sufficient, current facts or data to conform to any known professional standards for evaluating competency.

17. Regarding Dr. Porterfield's statements as relayed in the Petition, while Dr. Porterfield's statements are based upon examinations that were conceivably relevant to mitigating issues at trial, as reflected in her declaration attached to the Petition and prior declarations, Dr. Porterfield's opinions do not conform to or reliably apply generally accepted psychological principles or methods to answer any questions regarding Mrs. Montgomery's current competency to be executed, as delineated in *Ford v. Wainwright*.
18. Similarly, regarding Dr. Woods's statements as relayed in the Petition, Dr. Woods's statements, as reflected in his declaration attached to the Petition and prior declarations, do not appear to conform to or reliably apply any generally accepted principles or methods to answer any questions regarding Mrs. Montgomery's current competency to be executed, as delineated in *Ford v. Wainwright*. The Petition, including Dr. Woods's declaration, does not suggest or demonstrate Dr. Woods bases his opinion on sufficient facts or data related to Mrs. Montgomery's current functioning and current competency-related issues, particularly in light of the detailed records from providers at FMC Carswell familiar with Mrs. Montgomery's clinical presentation.

I declare, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed this 10 day of January, 2021.


Christina A. Pietz, Ph.D., ABPP
Board Certified in Forensic Psychology

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**LIST OF MATERIALS REVIEWED BY CHRISTINA A. PIETZ, PH.D., ABPP IN
CONNECTION WITH THE ABOVE-TITLED MATTER**

1. Bureau of Prisons Health Services Records
2. Suicide Watch Chronological Log
3. Declaration of David Kidwell Sr. dated September 3, 2016
4. Transcript of trial March 4 and 7, 1985
5. Female Offender Manual
6. Treatment and Care of Inmates with Mental Illness
7. Program Statement-Suicide Prevention Program
8. Institution Supplement (FMC Carswell)-Suicide Prevention Program
9. Institution Supplement-Operation and Security of the Special Confinement Unit (SCU)
10. Plaintiff's Motion for Preliminary Injunction
11. Memorandum of Law in Support of Preliminary Injunction
12. Declaration of Katherine Porterfield, Ph.D., dated November 9, 2020
13. Declaration of John Joseph Hedberg Patterson dated January 18, 2013
14. Declaration of Jan Vogelsang, M.S.W. dated March 17, 2013
15. Curriculum Vitae, Jan Vogelsang, M.S.W.
16. Declaration of Martin Horn dated November 10, 2020
17. Declaration of Kelley J. Henry dated November 13, 2020
18. Declaration of Julie Gardner dated November 9, 2020
19. Letter authored by Kelley J Henry dated October 23, 2020, addressed to M Carr, Warden
20. Letter authored by M. Carr, Warden addressed to Kelley J. Henry dated November 6, 2020
21. Letter addressed to Mrs. Kacie Inman dated October 21, 2020, authored by Kellie J. Henry and Amy D. Harwell
22. Letter addressed to Katherine Siereveld and Mrs. Kacie Inman dated November 1, 2020, authored by Kelley J. Henry, Amy D. Harwell, and Lisa Nouri
23. Transcript of Proceedings November 7 and 8, 2016
24. Declaration of Robin Nunn dated November 16, 2020

25. Proposed order Granting Preliminary Injunction
26. Forensic report authored by Park Dietz, M.D., M.P.H., Ph.D. dated September 17, 2007
27. Curriculum Vitae, Park Dietz
28. Neuropsychological evaluation authored by Daniel A Martell, Ph.D., dated August 24, 2007
29. Curriculum Vitae, Daniel Martell
30. Summary report completed by Ronald Walker, M.A.
31. Curriculum Vitae, Ronald Walker, M.A.
32. Declaration of Rick Winter dated November 24, 2020
33. Declaration of Michael Carr dated November 20, 2020
34. Declaration of Michael Carr dated December 10, 2020
35. Copy of the complaint
36. Defendant's Response in Opposition to Motion for Preliminary Injunction
37. Plaintiff's Reply In Support Of her Motion For Preliminary Injunction
38. Supplemental Declaration of Katherine Porterfield, Ph.D., executed on November 23, 2020
39. Robert Fucetola, Ph.D. report dated July 2006
40. Robert Fucetola, Ph.D. Curriculum Vitae
41. Ruth Kuncel report dated April 9, 2007
42. Ruth Kuncel Curriculum Vitae
43. William Logan, M.D. report, undated
44. William Logan, M.D. Curriculum Vitae
45. William Logan, M.D., declaration dated March 14, 2013
46. Robin C. Gur reports-April 3, August 23, September 28, October 2, and October 22, 2003, October 11, 2016
47. Siddhartha Nadkarni, M.D., report dated September 27, 2013
48. Katherine Porterfield, Ph.D., power point, letter dated 10-10-16, report dated April 22, 2016
49. Katherine Porterfield, Ph.D. resume
50. George Woods declaration dated March 17, 2013
51. George Woods Curriculum Vitae
52. George Woods Addendum dated October 23, 2016
53. Telephone calls made by Mrs. Montgomery to family members on August 6, 13, and 17, September 1, November 2, 10, and 26, December 2, 11, 14, and 17, 2020, and January 2, 2021
54. Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241
55. Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (corrected)
56. Appendix F to Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (corrected) - Expert Declarations

Christina A. Pietz, Ph.D., ABPP

Burrell Kingsley Clinic
1350 E. Bradford Parkway
Springfield, MO 65804
417-761-5850

EDUCATIONAL BACKGROUND

Degree: Doctor of Philosophy, August 1989
School: Texas A & M University, College Station, Texas

Clinical Internship: University of Texas Health Science Center at Houston

Postdoctoral Fellowship: University of Texas Health Science Center at Houston

Degree: Master of Arts in Clinical Psychology, 1984
School: Sam Houston State University, Huntsville, Texas
Major: Clinical Psychology

Degree: Bachelor of Arts, 1982
School: Creighton University, Omaha, NE
Major: Psychology

WORK EXPERIENCE

Current Positions

August 2002- Burrell Behavioral Health

Responsibilities: Forensic evaluations for competency to stand trial, psychosexual, criminal responsibility, parenting evaluations, child custody evaluations, fitness for duty, and assessment of posttraumatic stress disorder. Expert testimony for United States District Courts and state courts.

October 2014- Park Dietz and Associates

Responsibilities: Forensic evaluations for competency to stand trial, psychosexual, criminal responsibility, parenting evaluations, child custody evaluations, fitness for duty, and assessment of posttraumatic stress disorder. Expert testimony for United States District Courts and state courts.

August 2012- Core Faculty
August 2015 The School of Professional Psychology at Forest Institute

November 2001- Director of Forensic Training
August 2015 The School of Professional Psychology at Forest Institute

Previous Work Positions

August 1990-January 2015 Staff Psychologist
United States Medical Center for Federal Prisoners, Springfield, Missouri

Responsibilities: Forensic evaluations for involuntary commitments, competency to stand trial, dangerousness, criminal responsibility, and other court referrals,. Expert testimony for United State District Courts. Psychological testing, crisis intervention, inservice training, supervision of pre-doctoral psychology interns in an A.P.A. accredited program, consultation with personnel and correctional administrators, and employee assistance.

1991-2002 St. John's Behavioral Health Care

2000-2011 Adjunct Faculty
The School of Professional Psychology at Forest Institute

1991-2000	Director of Clinical Training United States Medical Center for Federal Prisoners, Springfield, Missouri
1989-1990	Post-doctoral Fellow University of Texas Health Science Center
1989-1990	Instructor (Part-Time) Houston Community College
1986-1988	Lecturer Texas A&M University, College Station, Texas
1986-1988	Psychological Associate Dr. Arden and Associates Private Practice Bryan, Texas
1985-1988	Psychometrist Dr. Edwards Private Practice Bryan, Texas
1985-1986	Graduate Teaching Assistant Texas A&M University College Station, Texas
1984-1985	Associate Clinical Psychologist Texas Department of Corrections Huntsville, Texas
1982-1984	Graduate Teaching Assistant Sam Houston State University Huntsville, Texas
1981-1982	Teaching Assistant Creighton University Omaha, NE

Professional Societies

January 2020 -	President, Board of Trustees American Board of Professional Psychology
January 2018 - December 2019	President Elect, Board of Trustees American Board of Professional Psychology

January 2013	Past President American Board of Forensic Psychology
2017	Recording secretary, Board of Trustees American Board of Professional Psychology
2011-2016	Member, Board of Trustees American Board of Professional Psychology
2012 to 2018	Board of Trustees Representative to Ethics Committee
April 2001-2016	Member, Board of Directors Graduate Advisory Council Drury University
2012-2013	President American Board of Forensic Psychology
2010-2011	President-Elect American Board of Forensic Psychology
2009-2012	Credentialing Review Officer American Board of Forensic Psychology
2008-2009	Member, Recording Secretary American Board of Forensic Psychology
2005-2009	Member, Board of Directors AIDS Project of the Ozark
1994-1999	Member, Board of Directors Missouri Victim Center

BOOK

Pietz, C.A. and Mattson, C. (Editors). 2014. Violent Offenders: Understanding and Assessment, Oxford Publishing.

PUBLICATIONS

Beckham, C., Spray, B. & Pietz, C. (June 2007). Jurors Locus of Control and Defendant's Attractiveness in Death Penalty Sentencing. *Journal of Social Psychology*, V. 147 (3), 285-298.

Gassen, M., Pietz, C., Spray, B. & Denney, R. (April 2007). Accuracy of Megargee's Criminal Offender Infrequency (Fc) Scale in Detecting Malingering Among Forensic Examinees. *Criminal Justice and Behavior*, V. 34(4), 493-504.

Fazio, R., Pietz, C. & Denney, R. (April 2008) An Estimate of the Prevalence of Autism-Spectrum Disorder in an Incarcerated Population. *Open Access Journal of Forensic Psychology*.

Frost, J., Molinari, V., Dobbs, D., Edgar, V., Jones, K., Pietz, C., Badanan, A. (2019) Who gets certified by the American Board of Professional Psychology and why: A diversity survey. *Journal of Clinical Psychology*.

McLearn, A., Pietz, C., & Denney, R. (2004). Evaluation of psychological damages chapter 13 in *Handbook of Forensic Psychology*, 267-299. W. O. Donohue and Eric Levinsky (eds.). Academic Press.

Neller, D., Denney, R., Pietz, C. & Tomlinson, R.P. (June 2005). Testing the trauma model of violence. *Journal of Family Violence*. V 20(3) 151-159.

Neller, D., Denney, R. & Pietz, C. & Tomlinson, R. P. (2006). The relationship between trauma and violence in a jail inmate sample. *Journal of Interpersonal Violence*. V 21 1234-1241.

Pietz, C. 2009. Guest Editor, Special Issue: Whither *Sell v. U.S.*? Involuntary Medication for Competency Restoration Treatment. *Journal of Psychiatry and the Law* V. 37(4), 331-334.

Pietz, C. 2017 Providing emergency services to forensic examiners chapter 4 in *The Ethical Practice of Forensic Psychology*, 123. Gianni Pirelli, Robert Beattey, and Patricia Zapf (eds.). Oxford University Press.

Pietz, C. 2017 Treatment conflicts chapter 10 in *The Ethical Practice of Forensic Psychology*, 330. Gianni Pirelli, Robert Beattey, and Patricia Zapf (eds.). Oxford University Press.

Pietz, C., & Mann, J. (1989). The importance of having a female co-therapist in a child molester's group. *Professional Psychology: Research and Practice*. V.20(4), 265-268.

Pietz, C., DeMier, R., Dienst, R., Scully, B. & Green, J. 1998. Psychology internship training in a correctional facility. *Criminal Justice and Behavior*. V. 25(1), 99-108.

PRESENTATIONS

Bell, J. & Pietz, C. (2012, August). To medicate or not to medicate: Effects of the Sell decision. Poster presented at the American Psychological Association's 120th Annual Convention in Orlando, FL.

Chu, H., Bell, J., Chavez, J., Hooper, V., Mena, F., & Pietz, C. (2014, August). Polydipsia in federally incarcerated male inpatients. Poster presented at the American Psychological Association's 122th Annual Convention in Washington D.C.

Cook, D. Mathews, B. & Pietz, C. (2003, April). Examination of the Superlative Scale in a Forensic Setting. Poster session presented at the Mental Health in Corrections Symposium, Kansas City, MO.

DeMier, R., Scully, B., Pietz, C., Dienst, R., & Green, J. (1995, June). Internship Training in a Correctional Facility. Paper presented at the Mental Health In Corrections Symposium, Kansas City, MO.

Gassen, M., Pietz, C., & Denney, R. (2005, March). An Examination of the Construct Validity of Megargee's Infrequency-Criminal Scale (Fc). Poster session presented at the AP-LS Conference, La Jolla, California.

Lopez, I. & Pietz, C. (2008, August). Statistical Analysis of Case Law Involving the Batson Objection. Poster presentation at the American Psychological Association Convention in Boston, Massachusetts.

Lopez, I. & Pietz, C. (2008, August). Statistical Analysis of Case Law Involving the Batson Objection. Poster presentation at the American Psychological Association Convention in Boston, Massachusetts.

Gremminger, B., Pietz, C., Spray, B., Powers, B. (2014, August). Research design with unique populations: Lessons learned sampling legal professionals. Poster presented at the American Psychological Association's 122th Annual Convention in Washington D.C.

Mann, J. & Pietz, C. (1988, January). Conducting sexual abuse offender groups with the basic I.D. model. Paper presented at the Texas Association for Marriage and Family Therapy Convention, San Antonio, TX.

Mathews, B.M., Gassen, M.D., Pietz, C.A., & Tempelmeyer, T.C. (2004, May). Validation of Megargee's Fc Scale for the MMPI-2. Symposium presentation at

the 39th Annual Symposium on Recent Developments on the MMPI-2-MMPI-A in Minneapolis, MN.

Mathews, B.M., Gassen, M.S., Pietz, C.A., & Tempelmeyer, T.C. (2004, July). Validation of Megargee's Fc Scale for the MMPI-2. Poster presentation at the American Psychological Association Convention in Honolulu, HI.

Mattson, C. Pietz, C., Brinkely, C., Magaletta, P., & Nelson, C. (2008, August). Examining Institutional Adjustment Among Federally Incarcerated Females Using the PAI. Paper presented at the APA Convention, Boston, Massachusetts.

Pietz, C. (2002, May). Testifying in Court. Continuing education presentation at the Mental Health in Corrections Symposium, Kansas City, MO.

Pietz, C. (2013, July). Competency to Stand Trial-The Restoration Process. Symposium presented at the American Psychological Association Convention, Honolulu, Hawaii.

Pietz, C. & Brown, B. (1999, August). So you want to be a correctional psychologist. Symposium presented at the American Psychological Association Convention, Boston, MA.

Pietz, C., & Mann, J. (1988, April). The importance of having a female co-therapist in a child molester group. Paper presented at Southwest Psychological Association Convention, Tulsa, Oklahoma.

Pietz, C. & Wolfson, J. (2001, June). Forcibly medicating incompetent defendants. Lecture presented at the Eleventh Annual Mental Health in Corrections Symposium held by the Mental Health Corrections Consortium.

Rowley-Putney, M.L., Denney, R., and Pietz, C. (2009). Accuracy of the MMPI-2 Fake Bad Scale, Response Bias Scale, and Henry-Heilbronner Index in Detecting Definite Malingered Neurocognitive Dysfunction Among Male Criminals. Poster presented at the International Neuropsychological Society Conference, Atlanta, GA.

Samlaska, K., Schmidt, L., & Pietz, C. (2008, August). Qualitative analysis of categorical versus dimensional diagnoses in personality disorders. Poster presented at the American Psychological Association (APA), Boston, MA.

WORKSHOPS CONDUCTED

Testifying in Court (7 hour workshop)

Forensic Assessments: Related Case Law

An Overview of Mental Illness and Personality Disorders; Substance Abuse, Dependence, Co-Occurring Disorders (workshops tailored for law enforcement officers)

Prevention of Suicide in Law Enforcement

Sex Offenders

Competency Restoration Treatment

How Do We Think and Behave Like a Cognitive/Behavioral Therapist

Identifying the Troubled Professional

DSM-5: Pitfalls and Challenges for Forensic Psychologists, September 2014, San Antonio, Texas (7 hour workshop)

DSM-5: Developments and Forensic Applications, November 2014, Atlanta, Georgia (7 hour workshop)

The 37th Annual Ohio Forensic Centers Continuing Education Conference, June 5, 2015, Dublin, Ohio-DSM-5: Developments for Forensic Applications (7 hour workshop)

Forensic Assessments, November 13, 2015, Springfield, Missouri, (7 hour workshop)

Challenges and Pitfalls in Using the DSM-5 in Forensic Evaluations, May 2016, Scottsdale Arizona (7 hour workshop)

The Insanity Defense and Competency Issues, June 22, 2016, Lawrence, Indiana, Indiana Prosecuting Attorneys Council

Assessing Allegations of Trauma in Forensic Contexts, October 2017, San Diego, California (7 hour workshop)

Assessing Allegations of Trauma in Forensic Contexts, October 2017, Las Vegas, Nevada (7 hour workshop)

Challenges and Pitfalls in Using the DSM-5 in Forensic Evaluations, October 2017, Las Vegas, Nevada (4 hour workshop)

Testifying in Court, June 2018, Springfield, Missouri (7 hour workshop)

Assessing Allegations of Trauma in Forensic Contexts, October 2018, Providence, Rhode Island (7 hour workshop)

Assessing Allegations of Trauma in Forensic Contexts, April 2019, Dallas, Texas, (7 hour workshop)

ABPP Board Certification: Relevance for Canadian Psychologists, May 2019, Halifax, Nova Scotia (85-minute workshop)

Testifying in Court: Related Caselaw, February 21, 2020, Utah Psychological Association, Salt Lake City Utah (6 hour workshop)

Assessing Allegations of Trauma in Forensic Contexts, May 2020, Las Vegas, Nevada, Virtual, (7 hour workshop)

Testifying in Court: Related Caselaw, June 4, 2020, Burrell Interns, Springfield, Missouri, (7 hour workshop)

Assessing Allegations of Trauma in Civil and Forensic Contexts, October 2020, Manitoba Psychological Society, Winnipeg, Manitoba (7 hour workshop)

PROFESSIONAL CERTIFICATION

Licensed Psychologist (Missouri) #PYR0275

Licensed Psychologist (Indiana) #20043120A

Licensed Psychologist (Arkansas) #20-05P

License Psychologist (Iowa) #099447

Diplomate in Forensic Psychology, American Board of Professional Psychology

PROFESSIONAL AFFILIATIONS

Fellow of the American Academy of Forensic Psychology

American Psychological Association Accreditation Site Visitor

Clinical Associate Member, The Association for the Treatment of Sexual Abusers

AWARDS

June 2013-Kathleen Hawk Sawyer Director's Award

EXPERT TESTIMONY, SELECTED NOTABLE CASES

United States v Jared Loughner (United States District Court for the District of Arizona; September 2011, August 2012, November 2012; Competency Hearing, Sentencing Hearing; Attempted Assassination of a Member of Congress, 9 counts of Murder, Attempted Murder of a Federal Employee)

Jack Gordon Greene v Larry Norris (United States District Court, Northern District of Arkansas; October 2011; Capital Habeas Proceedings)

United States v William Merriweather (United States District Court, Northern District of Alabama; 2 counts of Capital Murder, 2 counts of Attempted Murder, Attempted Bank Robbery, July 2011; Competency hearing; Case is ongoing)

United States v William Merriweather (United States District Court, Northern District of Alabama; 2 counts of Capital Murder, 2 counts of Attempted Murder, Attempted Bank Robbery, July 2014; Pate hearing; Case is ongoing)

United States v Michael Diaz (United States District Court for the Northern District of Georgia, Atlanta Division; February 2009; Competency hearing, September 2009; Sell hearing)

General Court-Martial Convening Authority v Jeron Velghe (August 2009; Consultation/Restoration to Competency Issues; Attempted Murder and Aggravated Assault)

United States v Jesse Quintanilla (Commanding General, 3D Marine Aircraft Wing, General Court-Martial Convening Authority; February 2008; Consultation, Premeditated Murder, Attempted Murder, Aggravated Assault)

United States v Timothy Deshazer (United States District Court for the District of Wyoming; August 2006; Competency Hearing, November 2006; Trial)

John David Duty v Mike Mullen, Warden (United States District Court, Eastern District of Oklahoma; Capital Habeas Proceedings)

United States v Troy Matzek (United States District Court, District of Utah; October 2003; Competency Hearing/Risk Assessment; Attempted Hijacking)

Michael Ryan (United States District Court for the District of Nebraska; August 2002; the court was interested if Mr. Ryan was competent to effectively pursue or rationally waive his habeas claims)

United States v Jimmy Lee Dixon (United States District Court, Northern District of Texas, Dallas; April 2000; Trial, Aggravated Rape, Kidnaping, Department of Veterans Affairs Hospital)

United States v Michael K. Leggett (United States District Court for the Middle District of Pennsylvania; December 1998; Trial; Assaulting a Federal Officer)

United States v Auburn Calloway (United States District Court for the District of Tennessee; March 1995; Trial Attempting to Seize Control of an Aircraft, Assaulting and Threatening Flight Crew Members)

United States v Melvin Anderson (United States District Court for the Middle District of Georgia; May 1992; Competency to Enter a Guilty Plea after pleading guilty to second degree murder of a military officer)

Jonas Whitmore v A.L. Lockhart, Director Arkansas Department of Corrections; (United States District Court for the Eastern District of Arkansas; October 1991; Competency to be Executed; Capital Murder)

United States v Carl Campbell (United States District Court for the Eastern District of Virginia; May 1991; Competency to Proceed; Murder of a military officer at the Pentagon)

EXPERT TESTIMONY PRESENT TO AUGUST 1990

State of Missouri vs. Justin Haggerman (SVP Civil Commitment, October 2020)

Andrew Harrington (Deposition, October 2020, Workman's Compensation)

State of Missouri vs. Kevin Howard (Testimony at Sentencing Hearing, Camden County Missouri, October 2020)

State of Missouri vs. Justin Haggerman (Deposition, August 2020, SVP Civil Commitment)

United States v Catherine Marie Brewer (Testimony at Sentencing Hearing, United States District Court for the Southern District of Iowa, August 2020), Davenport, Iowa

Juvenile waiver evaluation, a minor, a juvenile less than 17 years old, testimony (January 2020) Juvenile Division, at Springfield, Missouri

Latonya Moore (Deposition, November 2019, Workman's Compensation)

Darin Carter (Deposition, September 2019, Workman's Compensation)

Amanda McConnell vs. James Jones (Testimony, Circuit Court of Christian County, Ozark, Missouri, September 2019, Parenting)

Nathaniel Wakefield vs. Ashley Yoon (Testimony, Circuit Court of Greene County, Springfield, Missouri, May 2019, Parenting)

State of Missouri v Jerry Harris (Testimony, Sentencing Hearing, Circuit Court of Jasper County, Joplin, Missouri, April 2019)

State of Missouri vs Toby Allen Vinson (Competency to Waive Miranda Rights, Circuit Court of Greene County, Springfield, Missouri, March 2019)

State of Missouri vs Bruce Cagle (Sentencing Hearing, Circuit Court of Greene County, Springfield, Missouri, March 2019)

John Haley vs Deanna Haley (Testimony, Circuit Court of Greene County, Springfield, Missouri, January 2019, Parenting)

Jonathan West vs Teresa Sanchez (Testimony, Circuit Court of Greene County, Springfield, Missouri, January 2019, Parenting)

State of Missouri vs. Franklin Stitt (September 2018, Civil Commitment)

State of Missouri vs. Franklin Stitt (Deposition, August 2018, Civil Commitment)

State of Missouri vs Justin Diehl (Testimony, Circuit Court of Webster County, Missouri, August 2018, Psychosexual Evaluation)

State v SLG (Testimony, Circuit Court of Morgan County, Missouri, July 2018)

State v DE (Testimony, Circuit Court of Morgan County, Missouri, July 2018)

Missouri vs Britt Daugherty (Testimony, Circuit Court of Greene County, May 2018)

Missouri vs Randy Scharnhorst (Testimony, Circuit Court of Buchanan County, Missouri Circuit Court, February 2018, Civil Commitment)

United States v. Rebekah Nichols (Testimony, United States District Court for the District of Georgia, Atlanta, February 2018, Sentencing Hearing)

Simanis vs Simanis (Testimony Polk County, May 2017, Child Custody Trial)

Hanslow vs. Hanslow (Testimony, Circuit Court of Greene County, May 2017, Child Custody Trial)

Zachary Stewart vs. Stone County (Deposition, April 2017)

Travis Holloway vs. Coca Cola (Deposition, April 2017)

Simanis v Simanis (Deposition, March 2017)

Juvenile waiver evaluation, a minor, a juvenile less than 17 years old, testimony (April 2016) Juvenile Division, at Joplin, Missouri

United States v Frank Gomez (United States District Court for the District of Connecticut; April 2016, Competency Hearing)

Bradley v Bradley (Deposition, February 2016)

In the interest of SA (Taney County Judicial Court; December 2015; Termination of Parenting Rights)

Kristl Thompson, Corbie Leslie, Ashley Raby v The Scott Fetzer Company d/b/a Kirby Vacuum, (Deposition, December 2015), Kansas City, Missouri

O'Neill v Zaroor (Camdenton Judicial Circuit 26, September 2015; Child Custody Trial)

Rogers v Greene County Sheriff's Department (May 2015)

O'Neill v Zaroor (Deposition, August 2015)

Amber Thomsen (Deposition, May 2015)

United States v Marcus DeWitt (United States District Court for the Central District of California; August 2014; Competency Hearing)

United States v Gregory Shelby (United States District Court for the Northern District of Texas, June 2014, Competency Hearing)

Roberta Locke (Greene County Probate Court, February 2014, Testamentary Capacity Hearing)

United States v Concepcion Dondis-Hernandez (United States District Court, District of Arizona, February 2014, Competency Hearing)

United States v Anthony Wesolowski (United States District Court, Southern District of Iowa; November 2013, Competency Hearing)

United States v Michael Tucker (United States District Court, Eastern District of Newport, News Division; July 2013, Hearing)

United States v. Anton Caluori (United States District Court, Western District of Washington at Seattle; July 2013, Sell Hearing)

United States v. Gregory Shelby (United States District Court, Northern District of Texas, Dallas Division; June 2013, Sell Hearing)

United States v Roderick Richard Rightmire (United States District Court for the District of Arizona; March 2013; Competency Hearing)

United States v Lorenzo Jermain Hopkins (United States District Court for the Northern District of Florida, Tallahassee Division; February 2013; Sell Hearing)

United States v Eric Evan Miller (United States District Court for the Eastern District of Michigan; November 2012; Sell Hearing)

United States v Daniel Solomon Lehi (United States District Court for the District of Arizona; August 2012; Competency Hearing)

United States v. Deandre Ramon Sanders (United States District Court, Southern District of California; June 2012; Sell hearing)

United States v Shawn Mackey (United States District Court, District of South Dakota, Western Division; April 2012; Competency Hearing).

United States v Jon Beck (United States District Court for the Western District of Missouri; January 2012; Competency Hearing)

United States v Barac Barajas (United States District Court for the Southern District of California; January 2012; Sell Hearing)

United States v Hertin Jibas (United States District Court for the Western District of Missouri, Southern Division; December 2011; Competency Hearing)

United States v David Ryan Lemon (United States District Court for the Western District of Michigan; December 2011; Competency Hearing)

United States v Devon Joel Holcomb (United States District Court of Oregon; October 2011; Competency Hearing)

United States v Roberto Rios-Galvan (United States District Court for the Western District of Texas, Del Rio Division; January 2011; Competency Hearing)

United States v Salvatore Vincent Fazio (United States District Court, for the Eastern District of Missouri, Southeastern Division; January 2011; Competency Hearing)

United States v Clark Kirkman (United States District Court, for the Western District of Missouri; November 2010; Competency Hearing)

United States v Mark Johnson (United States District Court for the Western District of Oklahoma; November 2010; Competency Hearing)

United States v William Colwell McNeeley (United States District Court for the Western District of Missouri; May 2010; Competency Hearing)

United States v John Charles Fletcher (United States District Court for the Western District of Oklahoma; January 2010; Competency Hearing)

United States v Sergio Daher-Rey (United States District Court for the Western District of Missouri; August 2009; Competency Hearing)

United States v Ahmad Dost (United States District Court for the Western District of Arkansas; April 2008; Competency Hearing)

United States v David Earl Graves (United States District Court for the Northern District of Texas; April 2008; Competency Hearing)

United States v Jerry Lee Grist (United States District Court for the Eastern District of Oklahoma; December 2007; Competency Hearing)

United States v Jorge Vargas-Mendez (United States District Court for the Eastern District of California; June 2007; Competency Hearing)

United States v Clarence Davis (United States District Court for the Western District of Tennessee; April 2007; Competency Hearing)

United States v Larry Gruner (United States District Court for the District of Utah; January 2007; Competency Hearing)

United States v Devon Holcomb (United States District Court for the District of Oregon, Eugene Division; Competency Hearing)

United States v Mark Eugene Johnson (United States District Court, Western District of Oklahoma; November 2010; Competency Hearing)

United States v Carl Saunders (United States District Court for the Western District of Pennsylvania; June 2009; Competency Hearing)

United States v Curtis Lamar Ross (United States District Court for the Middle District of Alabama; August 2008; Competency Hearing)

United States v Luis Angel Cervantes-Camacho (United States District Court for the Southern District of California; August 2007; Competency Hearing)

United States v Bobby McElrath (United States District Court, Western District of Tennessee; August 2007; Competency Hearing)

United States v John Douglas Grape (United States District Court for the Western District of Pennsylvania; June 2007; Competency Hearing/Sell Hearing)

United States v Jimmy Lee Davis (United States District Court for the Western District of Tennessee; April 2007; Competency Hearing)

United States v Eladio Alberto Santana-Milian (United States District Court for the Southern District of Florida; March 2007; Competency Hearing)

United States v Tommy Lee Elam (United States District Court for the Central District of California; January 2007; Competency Hearing)

United States v Brent Reed (United States District Court for the Eastern District of Louisiana; September 2006; Competency Hearing)

United States v Tuff Murray Yazzie (United States District Court, for the Western District of Missouri; May 2006; Risk Assessment)

United States v Sherrell C. Brooks (United States District Court, Western District of Kentucky at Owensboro; May 2006; Competency Hearing)

United States v Stanley Yazzie (United States District Court for the District of Arizona; May 2006; Competency Hearing)

United States v Marvin Baker (United States District Court for the Western District of Wisconsin; April 2006; Competency Hearing)

United States v Jesse Blackbonnet (United States District Court, Central Division, District of South Dakota; February 2006; Competency Hearing)

United States v James R. Ballesteros (United States District Court for the Eastern District of California; September 2005; Sell Hearing)

United States v Kenneth Reid (United States District Court for the District of South Carolina; September 2005; Competency Hearing)

United States v Robert Donald Bush (United States District Court, Billings Division, District of Montana; August 2005; Competency Hearing)

United States v Reno Maiava (United States District Court for the Western District of Washington; December 2004; Competency Hearing)

United States v Jonathan K. Tagatac (United States District Court for the District of Hawaii; July 2004; Sell Hearing)

United States v John Howard Axelgard (United States District Court for the District of Nevada; November 2003; Competency Hearing)

United States v Charles E. Fuller (United States District Court for the Southern District of Indiana; September 2003; Competency Hearing)

United States v Thomas Sunday (United States District Court for the Western District of Tennessee; June 2003; Competency Hearing)

United States v Jeffrey Tanner (United States District Court for the District of Hawaii; February 2003; Competency Hearing)

United States v Vystoskia Tonve Pirtle (United States District Court for the Western District of Tennessee; May 2002; Competency Hearing)

United States v Shawn P. Williams (United States District Court for the District of Colorado; September 2002; Trial)

United States v Shawn P. Williams (United States District Court for the District of Colorado; October 2001; Competency Hearing)

United States v Sean Bob Reed (United States District Court for the Southern District of Texas; February 2001; Competency Hearing)

United States v Reginald Sharp (United States District Court for the Southern District of Texas; June 2002; Trial)

United States. v Wade Matthew Holloman (United States District Court for the Eastern District of North Carolina, Western Division; March 2002; Risk Assessment)

United States v Mark A. Endres (United States District Court for the Western District of Missouri; May 2001; Risk Assessment)

United States v Jimmy Johnson (United States District Court, District of New Mexico; November 2000; Competency Hearing)

United States v Steven Glenn Dutton (United States District Court, Northern District of Illinois, Eastern Division; February 2001. Competency Hearing)

United States v Estaban Orozco-Hernandez (United States District Court for the Western District of Texas; September 2000; Competency Hearing)

United States v James Henry Clark (United States District Court for the Middle District of Tennessee; April 2000; Trial)

United States v Terrence Rooney (United States District Court for the Northern District of Iowa; June 1999; Competency Hearing)

United States v Robert Zilitis (United States District Court for the Northern District of California; November 1999; Competency Hearing)

United States v Francisco Flores-Hernandez (United States District of Utah, Central Division; February 1999; Competency Hearing)

United States v Anthony DeWayne Franks (United States District Court for the Southern District of Alabama; December 1999; Trial)

United States. v Zebuel Jackson Hanna (United States District Court for the District of Nevada; June 1999, Competency Hearing)

United States v Thomas J Burke (United States District Court for the District of Kansas; January 1999; Competency Hearing)

United States v Edmundo Del Angel- Betancourt (United States District Court for the Western District of Texas; June 1998; Competency Hearing)

United States v David Harvey (United States District Court for the Eastern District of Missouri; April 1998, Competency Hearing)

United States v Levy Stephen (United States District Court for the Eastern District of North Carolina; December 1997; Competency Hearing)

United States v Mark Fowler (United States District Court for the Eastern District of Missouri; October 1997; Competency Hearing)

United States v George Hranicka Cummings (United States District Court for the Southern District of Georgia; July 1997; Trial)

United States v Lavis Sandifer (United States District Court for the Northern District of Iowa; June 1997; Competency Hearing)

United States v Terry Walbridge (United States District Court, District of Minnesota; April 1997; Competency Hearing)

United States v Anthony Wayne Morris (United States District Court for the Western District of Tennessee; June 1996; Competency Hearing)

United States v Joseph Nelson Woods (United States District Court, Western District of Arkansas; December 1995; Competency Hearing)

United States v Larry Dean Henderson (United States District Court for the Western District of Arkansas; December 1995, Competency Hearing)

United States v Joel Zophy (United States District Court for the Western District of Michigan; January 1994; Competency Hearing)

United States v David Steinmetz (United States District Court for the Middle District of Florida, Tampa Division; October 1993; Competency Hearing)

United States v Leon H. Tarver (Fort Leavenworth Disciplinary Barracks; September 2003; Vitek Hearing)

United States v Emerald Glenn Lykins (United States District Court, Eastern District of Kentucky, Lexington; January 1995; Competency Hearing)

United States v Lawrence Wood (United States District Court, Eastern District of Oklahoma; July 1994; Competency Hearing)

United States v Shawn P. Williams (United States District for the District of Maine; April 1994; Competency Hearing)

United States v Damon J. Fancher (United States District Court for the Western District of Kentucky; March 1994; Competency Hearing)

United States v Robert McCullough (United States District Court for the Southern District of New York; December 1993; Risk Assessment)

United States v Stuart Anthony Webb (United States District Court for the District of Colorado; July 1993; Trial)

United States v Joseph May (United States District Court, Western District of Missouri; August 1993; Competency Hearing)

United States v Adrian Dutchie (United States District Court for the District of Utah, Central Division; August 1993; Competency Hearing)

United States v John Lee Chapple (United States District Court for the Eastern District of Tennessee; August 1993; Competency Hearing)

United States v Charlie Cann (United States District Court for the Eastern District of Missouri; July 1993; Competency Hearing)

United States v Robert Allen Jackson (United States District Court for the Northern District of Texas; January 1993; Competency Hearing)

United States v John E. Sandles (United States District Court for the Eastern District of Wisconsin; February 1993; Trial)

United States v Dale Daniels (United States District Court for the Eastern District of Texas, Tyler Division; December 1992, Competency Hearing)

United States v Russell Bradley Marks (United States District Court, Western District of Missouri; November 1992; Competency Hearing)

United States v Raymond Bouffard (United States District Court, District of Maine; October 1992; Competency Hearing)

United States v Martin Mountfort (United States District Court for the Eastern District of Missouri; September 1992; Competency Hearing)

United States v Jose Luis Mijares-Torres (United States District Court, Northern District of Texas; May 1992; Competency Hearing).

United States v William James Harber (United States District Court for the Eastern District of Tennessee; December 1991, Competency Hearing)

United States v Teddy Glyn Floyd (United States District Court for the Northern District of Texas; December 1991; Competency Hearing)

United States v Thomas A Munz (United States District Court for the Northern District of Iowa; September 1991; Trial)

United States v George Spencer (United States District Court for the Western District of Kentucky, Louisville; September 1991; Competency Hearing)

United States v Charles Lawrence Pearce (United States District Court for the Eastern District of Oklahoma; July 1991; Competency Hearing)

United States v Timothy O'Leary (United States District Court for the Western District of Texas; June 1991; Competency Hearing)

United States v Todd A. Gilbertson (United States District Court for the Northern District of Georgia; May 1991; Competency Hearing)

United States v Noel Canizarez (United States District Court for the Southern District of Illinois; March 1991; Competency Hearing)